



# **INSTRUCTIONS FOR CLAIMING CONFIDENTIALITY CASMALIA DISPOSAL SITE**

You may assert a business confidentiality claim covering all or part of the information requested in this letter, as provided in Title 40 of the Code of Federal Regulations ("C.F.R.") Section 2.203(b).

If you make a claim of confidentiality for any of the information you submit to the U.S. EPA, you must substantiate that claim. For each document, your substantiation must separately provide the following information enumerated in 40 C.F.R. Section 2.204(e):

- The portions of the information alleged to be entitled to confidential treatment;
- The period of time for which confidential treatment is desired (*e.g.*, until a certain date, until the occurrence of a specific event or permanently);
- Measures taken by you to guard against the undesired disclosure of the information to others;
- The extent to which the information has been disclosed to others and the precautions taken in connection therewith;
- Pertinent confidentiality determinations, if any, by the U.S. EPA or other federal agency, and a copy of any such determinations or reference to them, if available; and
- Whether you assert that disclosure of the information would be likely to result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise non-confidential documents should be clearly identified. You should also indicate a date, if any, after which the information need no longer be treated as confidential. You must also include the information necessary to substantiate your claim (as described above).

Please enclose all material identified as confidential in a separate envelope. For all information not clearly marked as confidential, the U.S. EPA will consider any confidentiality claim to be waived, and this information may be made publicly available without further notice.

All confidentiality claims are subject to verification by the U.S. EPA and must be made in accordance with 40 C.F.R. Section 2.208, which provides in part that you satisfactorily show that

you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent.

Information covered by such a claim will be disclosed by the U.S. EPA only to the extent permitted by 40 C.F.R. Section 2.310. This includes the U.S. EPA's contemplated disclosure of the requested information to the following authorized representatives of the U.S. EPA or the U.S. Department of Justice ("DOJ"), for purposes of the Agency's response actions at the Casmalia Disposal Site:

GRB Environmental Services, Inc.  
Contract #EP-R9-06-03

CACI, Inc.  
U.S. DOJ Contract # 02-C-0437  
and Subcontractor: Industrial Economics, Inc. (Task Order 136)

CH2MHill  
RACS Contract #68-W-98-225

The information that the U.S. EPA intends to disclose to its authorized representatives includes any response to this letter. This information may be made available to the above named authorized representatives of the U.S. EPA for any of the following reasons: to assist with document handling, inventory, and indexing; to assist with document review and analysis for verification of completeness; and to provide expert technical review of the contents of the response. Pursuant to 40 C.F.R. Section 2.310(h), you may submit comments on the disclosure of any confidential information by the U.S. EPA to its authorized representatives. This notice is provided pursuant to 40 C.F.R. Section 2.310(h).